THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.14417 of 2007

Dated:12.07.2007

Between:

Kolluru Kamaraju, S/o.Bheemeswara Rao.

... Petitioner.

And

The Sub-Registrar,
Registration & Stamps Department,
Sabbavaram, Visakhapatnam District.

... Respondent.

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ORDER:

M/s.Datla Venkata Krishna Murthy Raju, Seetharama Raju and Venkata Narasimha Raju were granted ryotwari pattas under Section 7 of the Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956 (for short 'the Act'), by the Special Deputy Tahsildar (Inams), Visakhapatnam, on 14.06.2006, in respect of the land admeasuring Acs.6.26 cents in Survey No.215/1P situated at Pedamushidivada Village of Parvada Mandal in Visakhapatnam District. The petitioner purchased the said land from the individuals referred to above through sale deed, dated 22.06.2006, registered as Document No.4417 of 2006 with the respondent. The petitioner intended to sell the property in favour of third parties and claims to have approached the respondent to furnish the necessary particulars. It is stated that the respondent informed the petitioner that no documents in respect of the transfer of lands, and as regards which,

the patta was granted under the Act, would be entertained. It is also stated that the respondent received instructions from the Inspector General of Stamps and Registration to the effect that whenever a document is accompanied by a certificate, issued by the Mandal Revenue Officer, its genuinity must be cross verified. The petitioner seeks a direction to the respondent to receive the documents and process the same in accordance with law.

Heard the learned Counsel for the petitioner and the learned Government Pleader for Revenue.

In a way, it can be said that the Writ Petition is premature. The petitioner is yet to present the documents. Further, when the respondent had admitted a document in favour of the petitioner as recently as on 22.06.2006, in respect of the same property, there is no reason to apprehend that he would take any objection when the petitioner intends to sell the property.

Be that as it may, the prohibition is only against assigned lands and other categories of lands mentioned in Section 22-A of the Registration Act, 1908, as introduced through Act 19 of 2007. By no stretch of imagination, the lands in respect of which, ryotwari pattas were granted under the Act, can be brought under the purview of Section 22-A of the Registration Act.

In that view of the matter, the Writ Petition is disposed of directing the respondent to receive and process the documents that may be presented by the petitioner in accordance with law. There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

12.07.2007

vs